THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION NO.25764 OF 1999

DATED: 20-06-2007

Between :

P. Murali Krishna .. Petitioner

And

1. The Commissioner, Municipal Corporation
Of Hyderabad, Secunderabad division
And another. . Respondents

THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION NO.25764 OF 1999

ORDER :

This writ petition is filed seeking a declaration that the notice dated 13-12-1999 issued by the Commissioner, Municipal Corporation of Hyderabad, Secunderabad Division under Section 636 of the Hyderabad Municipal Corporation Act, 1955 in respect of the petitioner's Flat bearing No.G1 ALM Apartments, 12-5-188/1/1, Vijaypuri, Tarnaka, Secunderabad as arbitrary and illegal.

Under the impugned notice dated 13-12-1999 the petitioner was called upon to remove the alleged unauthorised constructions and restore the parking spaces within 24 hours failing which the Municipal Corporation of Hyderabad will take action.

This Court while directing Rule Nisi, passed an interim order in W.P.M.P.No.32510 of 1999, dated 16-12-1999 as under :

> *"There shall be status quo as on today for a period of two weeks subject to the condition that the petitioner shall not convert any common area into commercial or residential use and he will not make any construction in the parking area. The Municipal authorities are at liberty to prevent any such violations by the petitioner even without notice."*

Subsequently, the said order was extended until further orders by order dated 2-2-2000.

Having regard to the facts and circumstances of the case and in the absence of any counter-affidavit, no further enquiry is necessary on merits, but it would be suffice to make the above order dated 16-12-1999 a final order in the writ petition.

Accordingly, the main writ petition is disposed of with a direction

to the respondent not to interfere with the constructions in question subject to the condition that the petitioner shall not convert any common area into commercial or residential use and that he shall not make any construction in the parking area. No costs.

G. ROHINI, J.

Dt. 20-06-2007
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